

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-6
AGENDA DATE: Thu 01/26/2006
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SUBJECT: C14-00-2062(RCA)(3) - AMJRH Zoning - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 811 East 9th Street and 808-818 East 8th Street (Waller Creek Watershed). Planning Commission Recommendation: To be considered on December 13, 2005. Applicant: AMJRH Investments Ltd. Agent: David Armbrust. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

**DIRECTOR'S
AUTHORIZATION:** Greg Guernsey



MEMORANDUM

TO: Mayor Will Wynn and Council Members

FROM: Greg Guernsey, Director
Neighborhood Planning and Zoning Department

DATE: January 20, 2006

SUBJECT: Robertson Hill Restrictive Covenant Amendments 2 & 3

City Staff has been working with the owners of these tracts to amend the restrictive covenant to clarify the requirements regarding the provision of affordable housing. These two amendments will be combined with a third amendment and presented to City Council at a later date a single, unified amendment. The final amendment will standardized the affordable housing requirements across the properties, regardless of ownership.

Staff requests a postponement of both of these items until February 16th to allow the final restrictive covenant to be completed and signed.

If you have questions or need additional information on the referenced zoning cases please contact Robert Heil at 974-2330.

RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET

CASE: C14-00-2062 (RCA 3)

P.C. DATE: December 13, 2005
January 10, 2006
January 24, 2006

ADDRESS: 807 East 11th Street.

OWNER/APPLICANT: AMJRH Investments, Ltd. **AGENT:** David Armbrust

EXISTING ZONING: CS-MU-NCCD-NP **AREA:** 1.620

SUMMARY STAFF RECOMMENDATION:

Staff recommends the amendment of the Restrictive Covenant to modify paragraph five to clarify the obligations of the owner of the property with respect to affordable housing. Specifically, allowing the expansion of the off-site affordable housing provision to include zip codes 78702, 78722, 78721, 78723 and 78724.

PLANNING COMMISSION RECOMMENDATION:

December 13, 2005 – Postponement until January 10, 2006 at the request of the applicant.

January 10, 2006 – Postponed until January 24, 2006 at the request of the applicant to allow this case to be heard with two related cases

DEPARTMENT COMMENTS:

The existing restrictive covenant was signed in June 2001. The existing restrictive covenant addressed, among other aspects the provisions of affordable housing, as part of this project, both on and off-site. The amendment seeks to clarify the requirements of the owner regarding affordable housing.

On September 13, 2005, the Planning Commission approved an amendment to this restrictive covenant for the major portion of this tract. That amendment was approved by City Council on December 12, 2005. This amendment addresses one of the two remaining tracts covered by the RCA. (See attached). This amendment will be combined with RCA (2) and RCA (4) into one RCA with consistent standards across all the tracts of the property regardless of ownership.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-NCCD-NP	Undeveloped
<i>North</i>	CS & CS-1(NCCD-NP)	State offices, restaurant, salon
<i>South</i>	CS -MU-NCCD-NP, GR-MU-CO-NCCD-NP, SF-3-H-NP	French Legation, Undeveloped,
<i>East</i>	SF-3-NP, MF-3-CO-NP	Church, Single Family Homes
<i>West</i>	CS	Downtown offices and hotel

NEIGHBORHOOD PLANNING AREA: Central East Austin Neighborhood Plan Area

TIA: Is not required

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- Guadalupe Neighborhood Development Corp.
- Guadalupe Assn. for an Improved Neighborhood
- El Concilio, Coalition of Mexican American Neigh. Assn.
- Austin Neighborhoods Council
- Austin Independent School District
- Sentral Plus East Austin Koalition (SPEAK)
- Organization of Central East Austin Neighborhoods (OCEAN)
- PODER People Organized in Defense of Earth & Her R SCHOOLS:

SCHOOLS (AISD)

Mathews Elementary School

O. Henry Middle School

Austin High School

CITY COUNCIL DATE: October 20, 2005

ACTION:

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil **PHONE:** 974-2330 **E-mail:** robert.heil@ci.austin.tx.us

